

New Mexico Department of Game and Fish

POLICY

Civil Damage Collection

RM-409
(Rev.03/23/2012)

Authority

§17-2-26 NMSA 1978 and 19.30.11 NMAC

Purpose

This policy directs the settlement of civil damages with any person who has unlawfully killed, wounded, or possessed protected species.

Policy

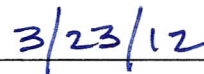
Civil actions will be in accordance with NMSA 17-2-26, 19 NMAC 30.11, and the court rules of civil procedure. The department will seek civil damages in compensation for loss of wildlife resources and for unlawful possession of protected species in every instance where game laws have been violated. Exception: In cases where the officer has determined that the killing of the animal was accidental, a civil assessment need not be levied.

All officers shall seek voluntary out of court settlement prior to initiating any civil liability claim in court. Any out of court settlement of more than three payments shall require approval by the Chief of Law Enforcement or his designee. This money shall only be deposited into the Game Protection Fund.

This policy was approved and implemented by:



James S. Lane, Jr., Director



Date